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May 8, 2015

VIA EMAIL: ctebo@hatchertebo.com

Christopher J. Tebo
Hatcher & Tebo, P.A.
150 Washington Street, Suite 204
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RE: Parker & Zimmerman v. Lithia Motors, Inc., et al., Cause No.: 2:13-CV-01182
RB/GBW; the Court's Order on Plaintiff's Motion to Compel (Doc. 65)

Dear Mr. Tebo:

This letter is sent to you with regard to the Court's *Order Granting In Part Plaintiffs' Motion to Compel* (filed Apr. 1, 2015) (Doc. 65) [hereinafter "Order"]. This letter incorporates by reference other correspondence to you of today's date discussing the need for your clients' immediate supplementation of RFP No. 12.

The Court's April 1, 2015, Order requires that your clients supplement their response to RFP No. 25, *i.e.*, to produce all documents in their possession custody, or control which evidence lender guidelines between Lithia Dodge of Las Cruces and its lenders, from June 2012, when Lithia Dodge of Las Cruces first opened, through 2013.

The Order also requires that your clients supplement their response to RFP No. 26, *i.e.*, that they produce all documents in their possession, custody, or control which evidence agreements which went into effect from June, 2012, forward, between Lithia Dodge of Las Cruces or Lithia Motors, Inc., with lenders financing the purchase of automobiles from Lithia Dodge of Las Cruces.

As of the writing of this letter, thirty-seven (37) days have elapsed since the Court entered its Order. Although the Court did not specify a time frame for compliance, it should be understood that supplementation must occur within a *reasonable* time and that a reasonable time cannot be more than thirty (30) days.¹

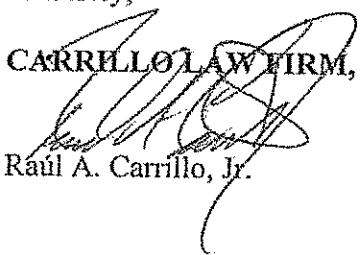
¹ This should be apparent given that Rule 34 provides that, in the first instance, "[t]he party to whom the request is directed must respond in writing within 30 days after being served." FED. R. CIV. P. 34(b)(2)(A). Note also that my clients have been diligent in supplementing their discovery responses and answers, even absent a court order. Indeed, since the second week of April, they have supplemented their Rule 26 Initial Disclosures three (3) times, Mr. Zimmerman has

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If your clients do not supplement completely and prior to our scheduled review of deal files on Sunday morning, then we will need an immediate court hearing and, perhaps, sanctions pursuant to Rule 30(b)(2).

Sincerely,

CARRILLO LAW FIRM, P.C.


Raúl A. Carrillo, Jr.

cc: Julie Ziemendorf (juliez@hatchertebo.com)
Yosef W. Abraham (via email)

supplemented his discovery responses three (3) times, and Mr. Parker has supplemented his discovery responses three (3) times.

